

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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RICHARD F. ALVAREZ,

Plaintiff,

v.

ORDER  
06-CV-004A

JOANNE BARNHART,  
Commissioner of Social Security,

Defendant.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On December 20, 2006, Magistrate Judge Scott filed a Report and Recommendation, recommending that the decision of the Commissioner be affirmed and defendant's motion for judgment on the pleadings be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the decision of the Commissioner is affirmed and defendant's motion for judgment on the pleadings is granted. The Clerk of Court is directed to take all steps necessary to close the case.

IT IS SO ORDERED.

/s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: January 22, 2007